

# SENATE . . . . . No. 1954

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## The Commonwealth of Massachusetts

PRESENTED BY:

**Anthony W. Petruccelli**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to noncriminal disposition of parking violations.

PETITION OF:

NAME:

Anthony W. Petruccelli

DISTRICT/ADDRESS:

First Suffolk and Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO NONCRIMINAL DISPOSITION OF PARKING VIOLATIONS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 20A½ of chapter 90 of the General Laws is hereby amended on the second line of the eighth paragraph thereof by deleting the word “two” at the end thereof and by inserting in place thereof the word “one”.

SECTION 2. Section 20A½ of chapter 90 of the General Laws is hereby amended on the fourth line of the eighth paragraph thereof by inserting after the words “said vehicle” the following: “and shall not issue a new motor vehicle registration to said person.”

SECTION 3. Section 20A½ of chapter 90 of the General Laws is hereby amended by inserting after the ninth paragraph the following new paragraph:

“If any person licensed to operate a motor vehicle in the commonwealth or having a motor vehicle registered in the Commonwealth fails to appear in accordance with five or more notices the parking clerk shall notify the registrar of motor vehicles who shall place the matter on record and shall suspend, without a hearing, the persons license to operate a motor vehicle in the Commonwealth until such time as the matter has been disposed of in accordance with law. The registrar of motor vehicles shall also suspend without a hearing and shall not renew the person’s

15 motor vehicle registration and shall not issue a new motor vehicle registration of any kind to said  
16 person until after notice from the parking clerk that all such matters have been disposed of in  
17 accordance with law. In the case of any person licensed to operate a motor vehicle in a state  
18 other than the Commonwealth or having a motor vehicle registered in a state other than the  
19 Commonwealth where said person has failed to appeal or appear in accordance with three of said  
20 notices, notwithstanding any notification to the registrar, the parking clerk may notify the chief  
21 of police or director of traffic or parking of said city or town that the vehicle involved in said  
22 multiple violations shall be removed and stored, or otherwise immobilized by a mechanical  
23 device, at the expense of the registered owner of said vehicle until such time as the matter has  
24 been disposed of in accordance with law.”

25         SECTION 4. Section 20A of chapter 90 of the General Laws is hereby amended on the  
26 second line of the seventh paragraph thereof by deleting the word “two” at the end thereof and  
27 by inserting the word “one”.

28         SECTION 5. Section 20A of chapter 90 of the General Laws is hereby amended on the  
29 fourth line of the seventh paragraph thereof by inserting after the words “said vehicle” the  
30 following: “and shall not issue a new motor vehicle registration to said person”.

31         SECTION 6. Section 20A of chapter 90 of the General Laws is hereby amended by  
32 inserting after the eighth paragraph the following new paragraph:

33 “If any person licensed to operate a motor vehicle in the commonwealth or having a motor  
34 vehicle registered in the Commonwealth fails to appear in accordance with five or more notices  
35 the parking clerk shall notify the registrar of motor vehicles who shall place the matter on record  
36 and shall suspend, without a hearing, the persons license to operate a motor vehicle in the

Commonwealth until such time as the matter has been disposed of in accordance with law. The registrar of motor vehicles shall also suspend without a hearing and shall not renew the person's motor vehicle registration and shall not issue a new motor vehicle registration of any kind to said person until after notice from the parking clerk that all such matters have been disposed of in accordance with law. In the case of any person licensed to operate a motor vehicle in a state other than the Commonwealth or having a motor vehicle registered in a state other than the Commonwealth where said person has failed to appeal or appear in accordance with three of said notices, notwithstanding any notification to the registrar, the parking clerk may notify the chief of police or director of traffic or parking of said city or town that the vehicle involved in said multiple violations shall be removed and stored, or otherwise immobilized by a mechanical device, at the expense of the registered owner of said vehicle until such time as the matter has been disposed of in accordance with law."

SECTION 7. Section 22 of chapter 90 of the General Laws is hereby amended in the second paragraph of subsection (c) on line two thereof by deleting the following words: "except a" and by inserting in place thereof the following: "including parking violations upon notice from the parking clerk, as provided for in sections 20A and 20A½ of chapter 90 of the General Laws, when a person fails to appear in accordance with five or more parking violation notices, when the parking clerk has notified the registrar of motor vehicles".

SECTION 8. Section 7V of chapter 90 of the General Laws is hereby amended by adding a new sub-section (d) as follows: "The registrar shall, on or before January 1, 2009 make and implement rules and regulations relative to the issuance of certificates of inspection which shall provide that said certificate of inspection shall not be issued to the registrant and or any person licensed to operate a motor vehicle in the Commonwealth, until all parking violations on

60 record with the registrar marked to the person's drivers license number, pursuant to the  
61 provisions of sections 20 and 20A½ of chapter 90 of the General Laws, have been disposed of in  
62 accordance with the law.

63       SECTION 9. Notwithstanding the provisions of any special or general law to the  
64 contrary the registrar shall not renew or issue a new license to operate a motor vehicle in the  
65 commonwealth to any person whose previous motor vehicle license is marked by the registrar for  
66 non-renewal, in accordance with the provisions of sections 20A or 20A½ of chapter 90 of the  
67 General Laws, until such time as all parking violations on record with the registrar have been  
68 disposed of in accordance with law.

69       SECTION 10. Section 20A of chapter 90 of the General Laws is hereby amended on the  
70 seventh line of the seventh paragraph by adding at the end thereof after the word "vehicle" the  
71 following: "and an additional twenty dollar charge payable to city or town in which the violation  
72 occurred, shall be assessed against the registered owner of said vehicle".

73       SECTION 11. Section 20A½ of chapter 90 of the General Laws is hereby amended on  
74 the seventh line of the eighth paragraph by adding at the end thereof after the word "vehicle" the  
75 following: "and an additional twenty dollar charge, payable to the city or town in which the  
76 violation occurred shall be assessed against the registered owner of said vehicle".